

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

**SONNY SAGGAR, M.D. and
RENITA BARRINGER**

Defendants.

Case No. 4:23-CR-380 SRC/PLC

ORDER

This matter is before the Court on Defendants’ Motion Regarding the Filing of Pretrial Motions [ECF No. 51]. On August 31, 2023, the Court granted in part Defendants’ Unopposed Motion to Set Deadline for Pretrial Motions [ECF No. 42], and ordered Defendants to file any pretrial motions or waiver of motions by October 26, 2023, and for the Government to file any response to said motions by November 9, 2023. [ECF Nos. 44 & 45] Defendants filed two pretrial motions before expiration of the deadline, including a Motion to Dismiss Indictment Based on the Court’s Lack of Jurisdiction [ECF No. 49]. The Court held a hearing on October 31, 2023 to consider Defendants’ motion to extend the pretrial deadline [ECF No. 51].

Defendants request that the Court extend the date for filing pretrial motions from October 26, 2023 to January 31, 2024, in consideration of the Government’s notification that full production of discovery materials will not be completed until “late December 2023[.]” [ECF No. 51] Defendants further request that the Court amend the deadline for the Government’s response to Defendants’ Motion to Dismiss Indictment Based on the Court’s Lack of Jurisdiction [ECF No. 49] from November 9, 2023 to November 3, 2023. [ECF No. 51]

The Government does not oppose Defendants’ request to extend the date for filing pretrial motions, stating the discovery materials are voluminous and that the Government is “continuing to process and produce additional discovery on a rolling basis[.]”¹ [ECF No. 52] However, the Government opposes Defendants’ “motion to the extent it seeks a separate briefing schedule pertaining to Defendants’ Motion to Dismiss Indictment Based on the Court’s Lack of Jurisdiction[.]” and requests an order setting one deadline for all pretrial motions. [ECF No. 52]

Based on the reasons set forth in Defendants’ motion as well as at the hearing, the Court grants the motion to extend the pretrial deadline to January 31, 2024, finding that additional time is necessary for effective investigation and preparation of pretrial motions, taking into account the exercise of due diligence, see 18 U.S.C. § 3161(h)(7)(B)(iv), and that the ends of justice are served by granting Defendants’ request and outweigh the best interest of the public and Defendants in a speedy trial, see 18 U.S.C. § 3161(h)(7)(A). The time granted to Defendants to investigate and prepare pretrial motions, or a waiver thereof, is excluded from computation of Defendants’ right to a speedy trial pursuant to 18 U.S.C. § 3161(h)(7)(A).

Accordingly,

IT IS HEREBY ORDERED that Defendants’ Motion Regarding the Filing of Pretrial Motions [ECF No. 51] is **GRANTED in part** and **DENIED in part**.

IT IS FURTHER ORDERED that Defendants shall have until January 31, 2024, to file any additional pretrial motions.

IT IS FURTHER ORDERED that the Government shall have until November 9, 2023, to respond to Defendants’ Motion to Strike Portions of the Indictment [ECF No. 47] and Motion to Dismiss Indictment Based on the Court’s Lack of Jurisdiction [ECF No. 49]. With respect to

¹ The assistant U.S. Attorney confirmed at the hearing that the Government was not opposed to extending the pretrial motions deadline to January 31, 2024.

any additional pretrial motions filed as of January 31, 2024, the Government shall have until February 14, 2024 to respond.

A handwritten signature in blue ink, reading "Patricia L. Cohen", is positioned above a horizontal line.

PATRICIA L. COHEN
UNITED STATES MAGISTRATE JUDGE

Dated this 1st day of November, 2023